

906 KAR 1:050. Nursing pools.

RELATES TO: KRS 216.860, 216.865

STATUTORY AUTHORITY: KRS 194.030(12)(b), 216.865

NECESSITY, FUNCTION, AND CONFORMITY: KRS 216.865 states that the Secretary of the Cabinet for Human Resources shall adopt administrative regulations relating to licensure fees, standards of care and service, and procedures for enforcement of penalties. The Office of Inspector General has been designated the promulgating agency in accordance with KRS 194.030(12)(b).

Section 1. Definitions. (1) "Nursing pool" includes nurses, nursing assistants, nurses' aides, orderlies, certified medical technicians, and any other nursing related professions whose employment is in compliance with applicable federal and state statutes and administrative regulations.

(2) "Registered nurse" means a nurse who is licensed to engage in registered nursing practice pursuant to KRS 314.041.

(3) "Licensed practical nurse" means a nurse who is licensed to engage in licensed nursing practice pursuant to KRS 314.051.

(4) "License" means an authorization issued by the cabinet for the purpose of operating a nursing pool.

(5) "Health care facility" means a health care facility as defined in KRS Chapter 216B.

Section 2. Licensure. (1) No nursing pool shall be operated, maintained, or advertised without obtaining a license from the cabinet.

(2) All applications for licensure shall be received from and mailed to the Division of Licensing and Regulation; Human Resources Building, 275 East Main Street, Frankfort, KY 40621.

(3) All initial applications for licensure shall be accompanied by a fee of \$130 and no renewal licenses shall be issued until the applicant for renewal licensure remits to the division the fee of sixty-five (65) dollars.

(a) All licenses shall be renewed annually upon expiration.

(b) All licenses shall expire one (1) year from their effective date.

(c) The cabinet may revoke or refuse to renew a license, if the cabinet determines that the nursing pool is substantially out of compliance with the applicable statutes and administrative regulations of the Commonwealth. The nursing pool may appeal an adverse decision in accordance with KRS 216.553, 216.567, 216.570, and 905 KAR 1:060.

(4) In order to determine compliance with the provisions of this administrative regulation, the division shall conduct periodic (at least annual), inspections of the nursing pool on an unannounced basis. Representatives of the division shall have access to the nursing pool during the hours that the nursing pool operates.

Section 3. Administration. (1) Licensee.

(a) The licensee shall be legally responsible for the service and for compliance with federal, state and local laws and administrative regulations pertaining to the operation of the service.

(b) The licensee shall establish in writing lines of authority and designate an administrator who shall be principally responsible for the daily operation of the nursing pool.

(2) Policies. The nursing pool shall establish and follow written administrative policies covering all aspects of operation, including:

(a) A description of organizational structure, staffing and allocation of responsibility and accountability;

(b) Policies and procedures for the guidance and control of personnel performance;

(c) A description of the duties, responsibilities, policies and procedures of the nursing pool, the

personnel who provide the service, and of the health care facilities which utilize the supplemental medical personnel from the agency.

(3) Personnel.

(a) There shall be a written job description for each person employed or on a registry which shall be reviewed and revised as necessary.

(b) A questionnaire utilized to evaluate personnel performance on an annual basis shall be developed with input sought from all health facilities to which medical personnel are sent. The results of the evaluation shall be available to health facilities utilizing the nursing pool, upon request.

(c) All new employees shall participate in a job orientation program which defines the duties and responsibilities of the employee to the nursing pool, the nursing pool to the employee, and the health care facilities which utilize the nursing pool.

(d) The nursing pool shall document that each temporary employee provided to a health care facility currently meets the minimum licensing, training and continuing education standards for the position in which he or she shall be working, and that the employee's license and credentials are in good standing with their respective licensure boards.

(e) Current personnel records shall be maintained for each employee which include the following:

1. Name, address and Social Security number;
2. Evidence of current registration, certification or licensure of personnel;
3. Training and experience;
4. Performance evaluation;
5. Initial interview for employment;
6. Information obtained through reference checks;
7. Current negative tuberculin skin test or chest x-ray;
8. Current cardiopulmonary resuscitation certification for personnel that provide direct care to patients; and
9. Initial job orientation for new employees.

(f) In-service training. All personnel shall participate in ongoing in-service training programs relating to their respective job activities including at least infection control and safety on an annual basis.

(g) The nursing pool shall employ a registered nurse who shall supervise personnel performance.
(15 Ky.R. 1992; Am. 2159; 2232; eff. 4-19-89.)